

REMARKS

The Office Action mailed June 5, 2003, has been received and reviewed. Claims 1 through 46, and 59 through 63 are currently pending in the application. Claims 1 through 16, 18 through 46, and 59 through 63 stand rejected. Claim 17 has been objected to as being dependent upon rejected base claims, but the indication of allowable subject matter in such claims is noted with appreciation. Applicant has amended claims 1, 13, 22, 33, 41, 45, 59, 60, 62 and 63, and respectfully requests reconsideration of the application as amended herein.

Objection to the Drawings

The Examiner objects to the drawings under 37 CFR 1.83(a) stating that the drawings must show every feature of the invention specified in the claims. More specifically, the Examiner states that the claimed rocket motor comprising a rocket casing and the at least one body attached to a surface of the rocket casing must be shown or the features canceled from the claims.

While Applicant asserts that a rocket casing with at least one body attached to a surface thereof is presently shown in the drawings (see, e.g., FIGS. 6A and 6B with attendant description in paragraphs [0041] through [0043]), Applicant has amended claim 41 to recite an "apparatus" which includes a "casing" which is clearly shown in FIGS. 6A and 6B. Applicant, therefore requests reconsideration and withdrawal of the objection to the drawings.

Objection to the Specification

The Examiner objects to the specification as improperly utilizing the trademark "Microballoon." Applicant notes that the federal registration of "Microballoon" has lapsed, but a similar registration for "Microballoons" is still in force. Applicant has amended paragraph [0054] to recognize this trademark and has utilized accompanying generic terminology as suggested by the Examiner. Applicant respectfully requests reconsideration of the specification.

35 U.S.C. § 112 Claim Rejections

Claim 13 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 13 herein to remove any perceived ambiguity and respectfully requests reconsideration thereof.

35 U.S.C. § 102(b) Anticipation Rejections

Anticipation Rejection Based on U.S. Patent No. 4,911,510 to Jenkins

Claims 1 through 4, 15, 16, 18 through 21, 33 through 40, 45, 46, 62 and 63 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Jenkins (U.S. Patent No. 4,911,510). Applicant respectfully traverses this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claims 1 through 4, 15, 16 and 18 through 21

Independent claim 1, as amended herein, is directed to a strain control device. The strain control device comprises: *a substantially rigid body extending longitudinally between a first end and a second end thereof*; a first opening defined in the first end; a second opening defined in the second end; and at least one cavity formed in a surface of the body extending between the first and second openings, a periphery of the at least one cavity being at least partially defined by a first wall and a second opposing wall which laterally deviates from the first wall. Applicant submits that Jenkins fails to teach all of the limitations of claim 1 of the presently claimed invention.

The Examiner cites Jenkins as disclosing, with particular reference to FIGS. 2 and 7, a strain control device comprising: a body (1, 2) having a first end and a second end; a first opening defined in the first end, a second opening defined in the second end; and at least one cavity (8) formed in a surface of the body extending between the first and second openings,

wherein a periphery of the at least one cavity is at least partially defined by a first wall and a second opposing wall which laterally deviates from the first wall.

Applicant notes that Jenkins discloses a device, referred to as a corner guide, specifically configured to accommodate the transition of an optical fiber through a corner exhibiting a bending radius smaller than a permissible bending radius of the optical fiber. The corner guide includes a pair of rectangular panels (1, 2) which are "hinged together at one each of their respective edges by means of a flexible strip 3" although other forms of hinge could of course replace the strip 3." (Col. 4, lines 8-11 and 21-22). The corner guide is configured such that the two panels may be positioned at relative angles (e.g., 90 degrees) with respect to one another. Applicant, therefore, submits that Jenkins fails to teach a substantially rigid body which extends longitudinally between a first end and the second end thereof. Rather, the corner guide of Jenkins is foldable about its hinge portion such that it is positionable within a range of angular orientations regarding its respective first and second ends.

As such, Jenkins clearly fails to anticipate claim 1 of the presently claimed invention. Applicant further submits that claims 2 through 4, 15, 16 and 18 through 21 are allowable over Jenkins as being dependent from an allowable base claim as well as for the additional patentable subject matter introduced thereby.

With respect to claim 2, while the Examiner states that Jenkins discloses a cavity having a first wall configured as a substantially linear wall, Applicant notes that Jenkins fails to teach a first wall extending between the first opening and the second opening which is a substantially linear wall. Rather, the cavity (8) identified by the Examiner includes a wall having only portions or sections which may be considered linear.

With respect to claim 21, the Examiner states (citing col. 4, lines 18-21) that Jenkins discloses a strain control device wherein the body is configured to elongate and contract, at least in a direction taken between the first and second openings. However, the passage cited by the Examiner simply states that a suitable material for an integrally hinged unit is polypropylene. Applicant submits that the formation of Jenkins corner guide from polypropylene fails to teach that the body (1, 2) is configured to elongate and contract, at least in a direction taken between

the first and second openings. Applicant respectfully submits that Jenkins fails to teach the limitations of claim 21.

Applicant, therefore, respectfully requests reconsideration and allowance of claims 1 through 4, 15, 16 and 18 through 21.

Claims 33 through 40

Independent claim 33, as amended herein, is directed to a strain control device. The strain control device comprises: *a substantially rigid body extending longitudinally between a first end and a second end thereof*; and at least one cavity formed within a surface of the body between the first end and the second end, the at least one cavity configured to receive at least a portion of a transmission line therein and *wherein the at least one cavity defines a deviation path for the at least a portion of the transmission line such that the at least a portion of the transmission line is enabled to be displaced between a first boundary of the at least one cavity and a second opposing boundary of the at least one cavity upon the elongation and contraction of the body in a direction taken between the first and second ends*. Applicant submits that Jenkins fails to teach all of the limitations of claim 33 of the presently claimed invention.

As set forth above, Jenkins discloses a device, referred to as a corner guide, specifically configured to accommodate the transition of an optical fiber through a corner exhibiting a bending radius smaller than a permissible bending radius of the optical fiber. The corner guide includes a pair of rectangular panels (1, 2) which are "hinged together at one each of their respective edges by means of a flexible strip 3" although other forms of hinge could of course replace the strip 3." (Col. 4, lines 8-11 and 21-22). The corner guide is configured such that the two panels may be positioned at relative angles (e.g., 90 degrees) with respect to one another. As such, Jenkins clearly fails to teach a substantially rigid body extending longitudinally between the first end and the second end thereof.

Furthermore, Applicant submits that Jenkins fails to teach a cavity which defines a deviation path for the at least a portion of the transmission line *such that the at least a portion of the transmission line is enabled to be displaced between a first boundary of the at least one cavity and a second opposing boundary of the at least one cavity upon the elongation and contraction of the body in a direction taken between the first and second ends*.

Rather, Applicant submits that, because Jenkins corner guide is configured to have its body's first and second ends disposed a relative angles with respect to one another, the body is not configured to enable such displacement of a transmission line upon elongation and contraction of the body in a direction taken between its first and second angularly disposed ends.

Applicant, therefore, submits that claim 33 is clearly not anticipated by Jenkins. Applicant, further submits that claims 34 through 40 are also allowable as being dependent from an allowable base claim as well as for the additional patentable subject matter introduced thereby.

With respect to claims 38 through 40, Applicant submits that Jenkins fails to teach a body which is configured to elongate and contract at least in a direction taken substantially linearly between the first and second openings. Applicant notes that the first and second openings are recited to be in the first and second ends, respectively, and, further, that the first and second ends of Jenkins body are configured to be angularly disposed relative to one another. Thus, Jenkins clearly fails to teach such limitations.

With respect to claim 39, Applicant submits that Jenkins fails to teach a deviation path which is defined to allow displacement of the at least a portion of the transmission line towards the first *substantially linear boundary upon the elongation of the body in the specified direction*.

With respect to claim 40, Applicant submits that Jenkins fails to teach a deviation path which is defined to allow displacement of the at least a portion of the transmission line towards the second opposing boundary upon the specified contraction of the body in the specified direction.

Applicant, therefore, respectfully requests reconsideration and allowance of claims 33 through 40.

Claims 45 and 46

Independent claim 45, as amended herein, is directed to a strain control device. The strain control device comprises: *a substantially rigid body extending longitudinally between a first end and a second end thereof*, the body having a first grasping member configured to frictionally engage a first portion of a transmission line and a second grasping member

configured to frictionally engage a second portion of the transmission line; and at least one cavity defined in the body between the first grasping member and the second grasping member, the at least one cavity being configured to accommodate a third portion of the transmission line therein and *defining a deviation path for the third portion of the transmission line such that third portion of the transmission line is enabled to be displaced between a first boundary of the deviation path and a second opposing boundary of the deviation path upon elongation and contraction of the body in a direction taken between the first and second ends.* Applicant submits that Jenkins fails to teach all of the limitations of claim 33 of the presently claimed invention.

As set forth above, Jenkins discloses a device, referred to as a corner guide, specifically configured to accommodate the transition of an optical fiber through a corner exhibiting a bending radius smaller than a permissible bending radius of the optical fiber. The corner guide includes a pair of rectangular panels (1, 2) which are "hinged together at one each of their respective edges by means of a flexible strip 3" although other forms of hinge could of course replace the strip 3." (Col. 4, lines 8-11 and 21-22). The corner guide is configured such that the two panels may be positioned at relative angles (e.g., 90 degrees) with respect to one another. As such, Jenkins clearly fails to teach a substantially rigid body longitudinally extending between a first end and a second end thereof.

Furthermore, Applicant submits that Jenkins fails to teach a cavity which defines a deviation path for the third portion of the transmission line *such that third portion of the transmission line is enabled to be displaced between a first boundary of the deviation path and a second opposing boundary of the deviation path upon elongation and contraction of the body in a direction taken between the first and second ends.*

Rather, Applicant submits that, because Jenkins corner guide is configured to have its body's first and second ends disposed a relative angles with respect to one another, the body is not configured to enable such displacement of a transmission line upon elongation and contraction of the body in a direction taken between, what would be, the first and second angularly disposed ends.

Applicant, therefore, submits that claim 45 is clearly not anticipated by Jenkins. Applicant, further submits that claim 46 is also allowable as being dependent from an allowable base claim. Applicant respectfully requests reconsideration and allowance of claims 45 and 46.

Claim 62

Independent claim 62, as amended herein, is directed to a strain control device. The strain control device comprises: *a substantially rigid body extending longitudinally between a first end and a second end thereof*; and at least one cavity formed within a surface of the body between the first end and the second end, the at least one cavity configured to receive at least a portion of a transmission line therein and wherein the at least one cavity defines a deviation path for the at least a portion of the transmission line wherein the at least one cavity is at least partially defined by a first substantially linear boundary and a second opposing boundary which deviates from the first substantially linear boundary. Applicant submits that Jenkins fails to teach all of the limitations of claim 62 of the presently claimed invention.

As set forth above, Jenkins discloses a device, referred to as a corner guide, specifically configured to accommodate the transition of an optical fiber through a corner exhibiting a bending radius smaller than a permissible bending radius of the optical fiber. The corner guide includes a pair of rectangular panels (1, 2) which are "hinged together at one each of their respective edges by means of a flexible strip 3" although other forms of hinge could of course replace the strip 3." (Col. 4, lines 8-11 and 21-22). The corner guide is configured such that the two panels may be positioned at relative angles (e.g., 90 degrees) with respect to one another. As such, Jenkins clearly fails to teach a substantially rigid body longitudinally extending between the first end and the second end.

Applicant, therefore, respectfully requests reconsideration and allowance of claim 62.

Claim 63

Independent claim 63, as amended herein, is directed to a strain control device. The strain control device comprises: *a substantially rigid body extending longitudinally between a first end and a second end thereof*, the body having a first grasping member configured to

frictionally engage a first portion of a transmission line and a second grasping member configured to frictionally engage a second portion of the transmission line; and at least one cavity defined in the body between the first grasping member and the second grasping member, the at least one cavity being configured to accommodate a third portion of the transmission line therein and defining a deviation path for the third portion of the transmission line wherein the at least one cavity is at least partially defined by a first substantially linear wall and a second opposing wall which deviates from the first substantially linear wall. Applicant submits that Jenkins fails to teach all of the limitations of claim 63 of the presently claimed invention.

As set forth above, Jenkins discloses a device, referred to as a corner guide, specifically configured to accommodate the transition of an optical fiber through a corner exhibiting a bending radius smaller than a permissible bending radius of the optical fiber. The corner guide includes a pair of rectangular panels (1, 2) which are "hinged together at one each of their respective edges by means of a flexible strip 3" although other forms of hinge could of course replace the strip 3." (Col. 4, lines 8-11 and 21-22). The corner guide is configured such that the two panels may be positioned at relative angles (e.g., 90 degrees) with respect to one another. As such, Jenkins clearly fails to teach a substantially rigid body extending longitudinally between the first end and the second end.

Applicant, therefore, respectfully requests reconsideration and allowance of claim 63.

35 U.S.C. § 103(a) Obviousness Rejections

Obviousness Rejection Based on U.S. Patent No. 4,911,510 to Jenkins in view of U.S. Patent No. 5,115,260 to Hayward et al.

Claims 5, 6 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jenkins (U.S. Patent No. 4,911,510) in view of Hayward et al. (U.S. Patent No. 5,115,260). Applicant respectfully traverses this rejection, as hereinafter set forth.

M.P.E.P. 706.02(j) sets forth the standard for a Section 103(a) rejection:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must

be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

The 35 U.S.C. § 103(a) obviousness rejections are improper because the references relied upon by the Examiner fail to teach or suggest all of the limitations of the presently claimed invention and because there is a lack of motivation to combine and/or modify the references in the manner set forth by the Examiner.

Claims 5 and 6

Each of claims 5 and 6 depend from independent claim 1 by way of intervening claims. As set forth above, Jenkins fails to teach or suggest all of the limitations of independent claim 1. More specifically, Applicant, submits that Jenkins fails to teach or suggest a substantially rigid body extending longitudinally between the first end and the second end. Rather, the corner guide of Jenkins is configured to be positionable within a range of angular orientations between its respective first and second ends. Thus, Jenkins actually teaches away from claim 1 of the presently claimed invention.

Additionally, Applicant submits that any modification of the Jenkins device to include such limitations would render the Jenkins device inoperable with respect to its intended purpose since the resulting device would no longer function as a corner guide in the manner described by Jenkins. As such, there is a lack of motivation to combine Hayward with Jenkins. Applicant, therefore, submits that independent claim 1 is clearly not obvious in view of Jenkins as combined with Hayward.

Applicant, therefore, submits that claims 5 and 6 are allowable as depending from an allowable base claim as well as for the additional patentable subject matter introduced thereby.

With respect to claims 5 and 6, Applicant notes that Jenkins and Hayward disclose considerably different devices. Jenkins discloses a corner guide configured to maintain an optical fiber at greater than a specified minimum radius while traversing a corner, while Hayward

is directed to a device configured to protect one or more cables from external tensile forces such that a terminal end of the cables experience little or no force thereat. Applicant submits that one of ordinary skill in the art would not be motivated to pick and choose components from such drastically different devices in order to arrive at the presently claimed invention.

Furthermore, with respect to claim 6, while the Examiner cites Hayward as teaching a cover configured to thermally insulate the multiple cavities (citing Hayward, col. 2, lines 24-30), the citation provided by the Examiner simply lists a material from which the housing or body of Hayward may be formed. Applicant finds no teaching or suggestion in Hayward that a cover for such a housing also thermally insulates the cavities formed therein.

Applicant, therefore, respectfully requests reconsideration and allowance of claims 5 and 6.

Claim 25

Claim 25 depends directly from independent claim 22. Independent claim 22, as amended herein, is directed to a strain control device. The strain control device comprises: a substantially rigid body extending longitudinally between a first end and a second end thereof; a first plurality of openings defined in the first end; a second plurality of openings defined in the second end; and at least a first plurality of cavities formed in a surface of the body, each cavity of the at least a first plurality of cavities extending between an opening of the first plurality of openings and an opening of the second plurality of openings, each of the at least a first plurality of cavities having a periphery which is at least partially defined by a first wall and a second opposing wall which deviates from the first wall.

Applicant, submits that Jenkins fails to teach a substantially rigid body extending longitudinally between the first end and the second end. Rather, the corner guide of Jenkins is configured to be positionable within a range of angular orientations between its respective first and second ends. Thus, Jenkins actually teaches away from claim 22 of the presently claimed invention. Additionally, Applicant submits that any modification of the Jenkins device to include such limitations would render the Jenkins device inoperable with respect to its intended purpose since the resulting device would no longer function as a corner guide in the manner described by

Jenkins. As such, there is a lack of motivation to combine Hayward with Jenkins. Applicant, therefore, submits that independent claim 22 is clearly not obvious in view of Jenkins as combined with Hayward.

Furthermore, Applicant notes that Jenkins and Hayward disclose considerably different devices. Jenkins discloses a corner guide configured to maintain an optical fiber at greater than a specified minimum radius while traversing a corner, while Hayward is directed to a device configured to protect one or more cables from external tensile forces such that a terminal end of the cables experience little or no force thereat. Applicant submits that one of ordinary skill in the art would not be motivated to pick and choose components from such drastically different devices in order to arrive at the presently claimed invention.

Applicant therefore submits that claim 25 is allowable and respectfully requests reconsideration thereof.

Obviousness Rejection Based on U.S. Patent No. 4,911,510 to Jenkins in view of U.S. Patent No. 5,115,260 to Hayward et al. as applied to claim 25 above, and further in view of U.S. Patent No. 4,567,318 to Shu

Claim 26 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jenkins (U.S. Patent No. 4,911,510) in view of Hayward et al. (U.S. Patent No. 5,115,260) as applied to claim 25 above, and further in view of Shu (U.S. Patent No. 4,567,318). Applicant respectfully traverses this rejection, as hereinafter set forth.

Claim 26 depends from independent claim 22 by way of an intervening claim. As set forth above, the combination of Jenkins and Hayward fails to render claim 22 obvious as any modification of Jenkins to include the limitations of claim 22 would render the modified Jenkins device inadequate for its intended purpose. The additional teachings of Shu do not change such an analysis.

While the Examiner relies on Shu as showing a housing formed from a first material and a cover formed from a second material, Applicant submits that one of ordinary skill in the art would lack motivation to take such a teaching, regarding a radio frequency shielded electronic component housing, and apply it to a device configured as a corner guide in order to arrive at the

presently claimed invention. As such, Applicant submits that claim 26 is clearly allowable over the references of Jenkins, Hayward and Shu, and respectfully requests reconsideration thereof.

Obviousness Rejection Based on U.S. Patent No. 4,911,510 to Jenkins in view of U.S. Patent No. 5,115,260 to Hayward et al. as applied to claims 6 and 7 above, and further in view of Hawley's Condensed Chemical Dictionary

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jenkins (U.S. Patent No. 4,911,510) in view of Hayward et al. (U.S. Patent No. 5,115,260) as applied to claims 6 and 7 above, and further in view of Hawley's Condensed Chemical Dictionary (hereinafter Hawley). Applicant respectfully traverses this rejection, as hereinafter set forth.

Claims 7 and 8 depend from independent claim 1 by way of intervening claim 6. As set forth above the combination of Jenkins and Hayward fails to render either claim 1 or claim 6 obvious. As such, claims 7 and 8 are allowable at least by virtue of their dependency from an allowable base claim.

With respect to the subject matter of claim 7, the Examiner relies on Hawley as teaching that "aramid fiber is a well known and readably available step in rubber for the purpose of imparting impact strength and tear resistance." (Office Action, pages 10 and 11). Similarly, with respect to the subject matter of claim 8, the Examiner relies on Hawley as teaching "that nitrile rubber is a well known and readably available material for usage as a gasket/grommet that are flexible at a very low temperature." (Office Action, page 11).

However, the Examiner does not provide any specific motivation for utilizing the materials in conjunction with the combined references of Jenkins and Hayward in an attempt to arrive at the presently claimed invention. Thus, for example, Applicant finds no suggestion by Jenkins that any cover is desirable, or that any such cover should exhibit impact strength and tear resistance. As such, there is a lack of motivation to combine the references in the manner suggested by the Examiner.

Applicant respectfully request reconsideration and allowance of claims 7 and 8.

Obviousness Rejection Based on U.S. Patent No. 4,911,510 to Jenkins

Claims 9 through 14, 22 through 24, 27 through 32, and 59 through 61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jenkins (U.S. Patent No. 4,911,510). Applicant respectfully traverses this rejection, as hereinafter set forth.

Claims 9 through 14

Claims 9 through 14 each depend directly from claim 1. As set forth above, Jenkins fails to teach or suggest all of the limitations of claim 1. More particularly, Jenkins fails to teach or suggest a substantially rigid body extending longitudinally between the first end and the second end. Rather, the corner guide of Jenkins is configured to be positionable within a range of angular orientations between its respective first and second ends. Thus, Jenkins actually teaches

away from claim 1 of the presently claimed invention. Furthermore, any attempt to modify the Jenkins device in order to arrive at the presently claimed invention would render Jenkins' corner guide inadequate for its intended purpose.

Additionally, the Examiner cites Hawley (though not expressly relying on Hawley for the rejection) as teaching the existence and basic properties of various materials (i.e., nitrile rubber – claim 9; neoprene – claim 10; silica – claim 11; reinforcing fibers – claim 12; and microballoons – claim 13). However, Applicant submits that the mere existence of a material does not provide sufficient motivation for combining such a material with the Jenkins device in order to arrive at the presently claimed invention. For example, there is no suggestion or motivation to form the corner guide of Jenkins from a material which includes reinforcing fibers or hollow filler material.

Moreover, with respect to claim 14, the Examiner cites Hawley (again without specifically relying thereon for the formal rejection), stating that "Microballoons" include a "well known and readably available material for usage as an extender in plastics to achieve a different density." (Office Action, page 15). The Examiner concludes that this teaching would lead the one of ordinary skill in the art to include Microballoons® in a first portion of the body of Jenkins device, but not in a second portion of a body of Jenkins device, such that the resultant device would vary in density from the first portion to the second portion.

Applicant submits that there is simply no motivation to form the body of Jenkins device with a first portion having a first density and a second portion having a second density. Nor has the Examiner provided such motivation.

Applicant, therefore, respectfully requests reconsideration and allowance of claims 9 through 14.

Claims 22 through 24 and 27 through 32

Independent claim 22, as amended herein, is directed to a strain control device. The strain control device comprises: *a substantially rigid body extending longitudinally between a first end and a second end thereof*; a first plurality of openings defined in the first end; a second plurality of openings defined in the second end; and at least a first plurality of cavities formed in

a surface of the body, each cavity of the at least a first plurality of cavities extending between an opening of the first plurality of openings and an opening of the second plurality of openings, each of the at least a first plurality of cavities having a periphery which is at least partially defined by a first wall and a second opposing wall which deviates from the first wall.

Applicant submits that Jenkins fails to teach a substantially rigid body extending longitudinally between the first end and the second end. Rather, the corner guide of Jenkins is configured to be positionable within a range of angular orientations between its respective first and second ends. Thus, Jenkins actually teaches away from claim 22 of the presently claimed invention.

Additionally, Applicant submits that any modification of the Jenkins device to include such limitations would render the Jenkins device inoperable with respect to its intended purpose since the resulting device would no longer function as a corner guide as described by Jenkins. As such, Applicant submits that claim 22 is clearly allowable over Jenkins.

Applicant further submits that claims 23, 24 and 27 through 32 are allowable as being dependent from an allowable base claim as well as for the additional patentable subject matter introduced thereby.

With respect to claims 28 and 29, the Examiner cites Hawley (though not expressly relying on Hawley for the rejection) as teaching the existence and basic properties of nitrile rubber (claims 28) and neoprene (claim 29). However, Applicant submits that the mere existence of a material does not provide sufficient motivation for combining such a material with the Jenkins device in order to arrive at the presently claimed invention. As such, Applicant submits that claims 28 and 29 are allowable over Jenkins.

With respect to claim 32, Applicant submits that the formation of Jenkins corner guide from polypropylene fails to teach or suggest a body (1, 2) which is configured to elongate and contract, at least in a direction taken between the first and second openings.

Applicant, therefore, respectfully requests reconsideration and allowance of claims 2 through 24 and 27 through 32.

Claims 59 through 61

Independent claim 59, as amended herein, is directed to a strain control device. The strain control device comprises: *a substantially rigid body extending longitudinally between a first end and a second end thereof, the body having a plurality of body sections arranged in a longitudinally extending pattern.* Each body section includes: at least one cavity formed therein, the at least one cavity having a periphery defined at least partially by a first wall and a second opposing wall which deviates laterally from the first wall; and at least one grasping member configured to receive and frictionally grasp a transmission line to be installed therein.

Applicant submits that Jenkins fails to teach or suggest a substantially rigid body extending longitudinally between the first end and the second end. Nor does Jenkins teach or suggest such a body having a plurality of body sections arranged in a longitudinally extending pattern.

Rather, the corner guide of Jenkins is configured to be positionable within a range of angular orientations between its respective first and second ends. Thus, Jenkins actually teaches away from claim 59 of the presently claimed invention. Additionally, Applicant submits that any modification of the Jenkins device to include such limitations would render the Jenkins device inoperable with respect to its intended purpose since the resulting device would no longer function as a corner guide as described by Jenkins. As such, Applicant submits that claim 59 is clearly allowable over Jenkins.

Applicant submits that claims 60 and 61 are also allowable as being dependent from an allowable base claim as well as for the additional patentable subject matter introduced thereby.

With respect to claim 61, Applicant submits that Jenkins fails to teach or suggest a grasping member disposed *between two adjacent cavities.*

Applicant, therefore, respectfully requests reconsideration and allowance of claims 59 through 61.

Obviousness Rejection Based on Applicant's Admitted Prior Art (AAPA) in view of U.S. Patent No. 4,911,510 to Jenkins

Claims 41 through 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of Jenkins (U.S. Patent No. 4,911,510).

Applicant respectfully traverses this rejection, as hereinafter set forth.

Independent claim 41, as amended herein, is directed to an apparatus comprising: a casing; and at least one substantially rigid body attached to a surface of the casing, the at least one body extending longitudinally between a first end and a second end. The at least one body includes: a first opening defined in the first end of the at least one body; a second opening defined in the second end of the at least one body; and at least one cavity formed in a surface of the at least one body, the at least one cavity extending between the first and second openings, a periphery of the at least one cavity being at least partially defined by a first substantially linear wall and a second opposing wall which deviates from the first substantially linear wall.

The Examiner relies on AAPA as teaching a rocket motor having a casing and states that Jenkins further teaches that it is known to have a body attached to a surface in order to provide some type of constraint in a wire. The Examiner then states it would have been obvious to combine the device of Jenkins with the rocket motor of AAPA in order to control the contour of a wire going around the rocket motor.

However, Applicant, submits that Jenkins fails to teach or suggest a substantially rigid body extending longitudinally between the first end and the second end thereof. Rather, the corner guide of Jenkins is configured to be positionable within a range of angular orientations between its respective first and second ends. Thus, Jenkins actually teaches away from claim 41 of the presently claimed invention. Additionally, Applicant submits that any modification of the Jenkins device to include such limitations would render the Jenkins device inoperable with respect to its intended purpose since the resulting device would no longer function as a corner guide as described by Jenkins. As such, Applicant submits that claim 41 is clearly allowable over Jenkins.

Applicant further submits that claims 42 through 44 are also allowable at least by virtue of their dependency from an allowable base claim. Applicant, therefore, respectfully requests reconsideration and allowance of claims 41 through 44.

Objections to Claim 17/Allowable Subject Matter

Claim 17 stands objected to as being dependent upon rejected base claims, but are indicated to contain allowable subject matter and would be allowable if placed in appropriate independent form. Applicant has amended claim 1, from which claim 17 ultimately depends and, as set forth herein, believes claim 1 to be in condition for allowance. Applicant therefore, submits that claim 17 is likewise in condition for allowance and respectfully requests reconsideration thereof.

ENTRY OF AMENDMENTS

The amendments to claims 1, 13, 22, 33, 41, 45, 59, 60, 62 and 63 above should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings.

CONCLUSION

Claims 1 through 46, and 59 through 63 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned representative.

Respectfully submitted,



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